



UNITED STATES BANKRUPTCY COURT  
District of New Jersey

Albert Russo  
Po Box 4853  
Trenton, NJ 08650-4853  
(609) 587-6888  
Standing Chapter 13 Trustee

Order Filed on June 9, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In re:

Case No.: 21-12573 / MBK

Michael A. Ferguson  
Theresa Sertich

Hearing Date: 06/01/2021

Debtor(s)

Judge: Michael B. Kaplan

Chapter: 13

## ORDER CONFIRMING CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

**DATED: June 9, 2021**

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".  
\_\_\_\_\_  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

The plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

**ORDERED** that the plan of the above named debtor, dated 03/30/2021, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

**ORDERED** that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

**ORDERED** that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$14,000.00 PAID TO DATE
\$2,000.00 for 10 months beginning 6/1/2021
\$2,500.00 for 12 months beginning 4/1/2022
\$3,000.00 for 12 months beginning 4/1/2023
\$3,500.00 for 12 months beginning 4/1/2024
\$3,978.00 for 12 months beginning 4/1/2025

**ORDERED** that the case is confirmed at 100%, which includes a minimum of \$230,088.00 dividend to general unsecured creditors due to non-exempt equity in property.

**ORDERED** that the Standing Trustee shall be authorized to submit, ex parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

**ORDERED** that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

**ORDERED** that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

**ORDERED** that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

**ORDERED** that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

**ORDERED** that if the debtor has provided for a creditor to be paid in the plan and no Proof of Claim is filed by such creditor before expiration of the applicable bar date, the debtor, pursuant to F.R.B.P. 3004, must file a Proof of Claim on behalf of the creditor within 30 days of the expiration of the applicable bar date. If the time period pursuant to F.R.B.P. 3004 has expired, the debtor must file a Proof of Claim on behalf of the creditor and file a motion to allow the Trustee to pay the late filed claim, or the debtor may obtain a Consent Order with the creditor authorizing the Trustee to pay an amount certain in the plan.

**ORDERED** as follows:

Secured creditor M&T Bank, PACER Claim #11-1, shall be treated per the Plan provision as current/outside and will not receive distribution on the secured or unsecured portions of the Proof of Claim.

In re:  
Michael A. Ferguson  
Theresa Sertich  
Debtors

Case No. 21-12573-MBK  
Chapter 13

District/off: 0312-3  
Date Rcvd: Jun 09, 2021

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

## CERTIFICATE OF NOTICE

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 11, 2021:

Recip ID Recipient Name and Address  
db/jdb Michael A. Ferguson, Theresa Sertich, 1 Golden Rod Ct, Brick, NJ 08724-5018

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jun 11, 2021

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 9, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor Pingora Loan Servicing LLC dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com
Marc C Capone	on behalf of Joint Debtor Theresa Sertich ecf@gbclawgroup.com mcapone@ecf.courtdrive.com;e4eaf5f23@maildrop.clio.com;mcapone@ecf.courtdrive.com;mcapone@gbclawgroup.com;jgillman@ecf.courtdrive.com
Marc C Capone	on behalf of Debtor Michael A. Ferguson ecf@gbclawgroup.com mcapone@ecf.courtdrive.com;e4eaf5f23@maildrop.clio.com;mcapone@ecf.courtdrive.com;mcapone@gbclawgroup.com;jgillman@ecf.courtdrive.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5